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1059 U.S. PTO

<b>UTILITY PATENT APPLICATION TRANSMITTAL</b>  (Only for new nonprovisional applications under 37 CFR 1.53(b))	Attorney Docket No. 35721/239475(5721-17)
	First Inventor or Application Identifier: Hsieh
	Title of Invention: USE OF JELLYFISH COLLAGEN (TYPE II) IN THE TREATMENT OF RHEUMATOID ARTHRITIS
	Express Mail Label No. EL868637605US

1059 U.S. PTO  
10/007716  
11/13/01

ADDRESS TO: **BOX PATENT APPLICATION  
COMMISSIONER FOR PATENTS  
WASHINGTON, DC 20231**

Transmitted herewith for filing in the United States Patent Office is a patent application for:

Inventors: Yun-Hwa Peggy Hsieh, Auburn, AL

Assignee of this invention is Auburn University

- 1. ☒ The Filing Fee has been calculated as shown below:
- 2. ☒ Applicant claims Small Entity Status. See 37 CFR 1.27.

	No. Filed	No. Extra	Small Entity Rate	Fee 1	Large Entity Rate	Fee 0
BASIC FEE				\$370		\$0
TOTAL CLAIMS:	16 - 20 =	0	X 9 =	\$0	x 18 =	\$0
INDEP CLAIMS:	6 - 3 =	3	X 42 =	\$126	x 84 =	\$0
[ ] MULTIPLE DEPENDENT CLAIMS PRESENTED			+140 =	\$	+280 =	\$
*If the difference in Column 1 is less than zero, enter "0" in Column 2.			TOTAL	\$ 496	TOTAL	\$

The Commissioner is hereby authorized to credit overpayments or charge the following fees to Deposit Acct. No. \_\_\_\_\_.

- a. ☐ Fees required under 37 CFR 1.16 (National filing fees).
- b. ☐ Fees required under 37 CFR 1.17 (National application processing fees).
- ☒ A check in the amount of \$ 496.00 for the filing fee is enclosed.
- ☐ The above filing fee will be paid along with Applicant(s) Response to the Notice to File Missing Parts.
- 3. ☒ Specification; Total Pages 24
- 4. ☒ 5 Sheets of Formal Drawing(s) (35 USC 113)
- 5. ☐ Declaration and Power of Attorney; [Total Pages     ]
  - a. ☐ Newly executed (original or copy)
  - b. ☐ Copy from a prior application (37 CFR 1.63(d))  
(for continuation/divisional with Box 18 completed)
    - i. ☐ DELETION OF INVENTOR(S) Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) & 1.33(b).
- 6. ☐ Application Data Sheet. See 37 CFR 1.76
- 7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)

8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
- a. ☐ Computer Readable Copy (CRF)
  - b. ☐ Request for Transfer of Computer Readable Form of Sequence Listing under 37 CFR § 1.821(e) and MPEP 2422.05 (must be compliant with new rules)
  - c. ☐ Specification Sequence Listing on:
    - i. ☐ CD-ROM or CD-R (2 copies); or
    - ii. ☐ Paper (\_\_\_ Pages)
  - d. ☐ Statement verifying identity of above copies

#### ACCOMPANYING APPLICATION PARTS

- 9. ☐ Assignment Papers (cover sheet & document(s) (including a check for the \$40.00 fee)
- 10. ☐ 37 CFR 3.73(b) Statement (*when there is an assignee*); ☐ Power of Attorney
- 11. ☐ English Translation Document (*if applicable*)
- 12. ☐ Information Disclosure Statement (IDS)/PTO-1449; \_\_\_ Copies of IDS Citations
- 13. ☐ Preliminary Amendment
- 14. ☒ Return Receipt Postcard (MPEP 503) (*Should be specifically itemized*)
- 15. ☐ Certified Copy of Priority Document(s) (*if foreign priority is claimed*)  
☐ Foreign Priority is claimed as Application No. \_\_\_, filed
- 16. ☒ Non-publication Request under 35 U.S.C. 122(b)(2)(B)(i).  
Applicant **must** attach form PTO/SB35 or its equivalent.
- 17. ☐ Request for Early Publication Under 37 CFR § 1.219. Fee of \$300.00 is enclosed.
- 18. **If a CONTINUING APPLICATION, check appropriate box and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:**  
☐ Continuation ☐ Divisional ☐ Continuation in Part (CIP)  
of prior Application No: \_\_\_; Filed \_\_\_

Prior Application Information: Examiner

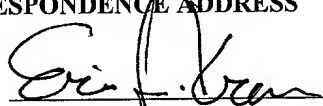
Group/Art Unit:

For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. **CORRESPONDENCE ADDRESS**

**CUSTOMER NUMBER 00826**

Signature:

  
Attorney of Record: Eric J. Kron  
Attorney Registration No. 45,941

**Alston & Bird LLP**

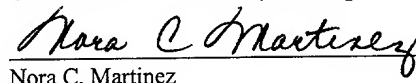
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**CERTIFICATE OF EXPRESS MAIL**

"Express Mail" mailing label number EL868637605US

Date of Deposit November 13, 2001

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Box Patent Application, Commissioner For Patents, Washington, DC 20231.

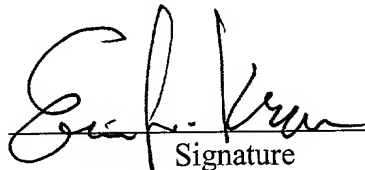
  
Nora C. Martinez

RTA01/2107106v1

<b>REQUEST AND CERTIFICATION UNDER 35 U.S.C. 122(b)(2)(B)(i)</b>	First Named Inventor	Hsieh
	Title	USE OF JELLYFISH COLLAGEN (TYPE II) IN THE TREATMENT OF RHEUMATOID ARTHRITIS
	Atty Docket Number	35721/239475(5721-17)

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

11/13/2001  
Date

  
Signature

Eric J. Kron  
Typed or printed name  
Attorney for Applicant  
Registration No. 45,941

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

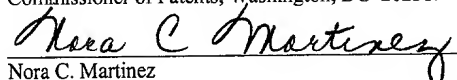
Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

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Nora C. Martinez